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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/685,196

10/10/2000

Timothy R. Miller

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09/06/2005

POSZ LAW GROUP, PLC
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SUITE 101
RESTON, VA 20191

EXAMINER

CHANG, EDITH M

ART UNIT

PAPER NUMBER

2637

DATE MAILED: 09/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/685,196	Applicant(s) MILLER ET AL.	
	Examiner Edith M. Chang	Art Unit 2637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-20 and 22-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-14, 22, 23 and 26-29 is/are allowed.
- 6) ☒ Claim(s) 8, 15, 16, 24 and 25 is/are rejected.
- 7) ☒ Claim(s) 1-6, 17-20 and 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments/Remarks

1. Applicant's arguments, see pages 14-27, filed on April 25, 2005, with respect to claims 1-6, 8-20, 22-30 have been fully considered and are persuasive. The 35 U.S.C. 102 and 103 rejections of claims 1-4, 9-14, 17 and 29 have been withdrawn.

Claim Objections

2. Claims 1-6, 8, 17-20 and 30 are objected to because of the following informalities:

Claim 1, line 13: "correlate first or" should be "correlate the first or".

Claim 5, line 2 & Claim 6 line 1: "correlation function" should be "correlation functions".

Claim 8, line 3: "a first detecting" should be "the first detecting"; line 5: "to a second" should be "to the second".

Claim 17, line 14: "a first or" should be "the first or".

Claim 18, line 9: "one of the first and" should be "the one of first and"; line 11: "a first detecting" should be "the first detecting"; line 14: "a second detecting" should be "the second detecting".

Claim 30, line 1: "correlation function is" should be "correlation functions are".

Claims 2-4, 19 and 20 are dependent on the objected claims 1 and 18.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 8, 15-16, 24 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8, line 3: "the first correlation value" lacks antecedent basis; line 5: "the second correlation value" lacks antecedent basis; lines 10-11 are duplicated of lines 8-9.

Claim 15, line 5: "the first correlation value" lacks antecedent basis; line 6: "the second correlation value" lacks antecedent basis.

Claim 24, line 5: "the first correlation value" lacks antecedent basis; line 6: "the second correlation value" lacks antecedent basis; line 9: "the first phase" lacks antecedent basis.

Claim 25 is dependent on the rejected claim 24.

Allowable Subject Matter

5. Claims 1-6, 17-20 and 30 would be allowable if rewritten to overcome the objection(s), set forth in this Office action.
6. Claims 8, 15-16 and 24-25 would be allowable if rewritten to overcome rejections under 35 U.S.C. 112, 2nd paragraph, and objections set forth in this Office action.

7. Claims 9-14, 22-23 and 26-29 are allowed.
8. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record fails to teach or suggest, alone or in a combination, among other things, at least a system for identifying a phase of an incoming ultrawide bandwidth (UWB) signal and its method as a whole, the combination of elements and features, which includes a selector to compare the first correlation function of the first detecting arm receiving incoming pulses of the UWB signal and generating first local pulses, and the second correlation function of the second detecting arm receiving incoming pulses of the UWB signal and generating second local pulses, and to select one of the first and second detecting arms based on the first and second correlation functions.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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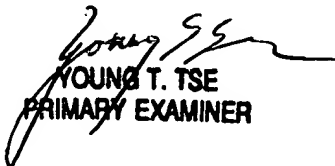
shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edith M. Chang whose telephone number is 571-272-3041. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay K. Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Edith Chang
August 23, 2005


YOUNG T. TSE
PRIMARY EXAMINER